

#8
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064/02540 A02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Uri KINROT
Serial Number: 10/031,519
Filed: January 16, 2002
For: LASER MOTION DETECTORS
Art Unit: 2636
Examiner: Anh V LA

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Mail Stop Amendment
Honorable Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Further to a Restriction Requirement dated May 26, 2004, the following is applicant's response:

The present application is a U.S. national application of PCT/IL00/00421. As such it is not governed by the same restriction requirements as normal U.S. national patent applications. Rather as stated in 37 CFR §1.499 and MPEP §1893.03(d). MPEP §1893.03(d) states, in part:

"When making a lack of unity of invention requirement, the Examiner must (1) list the different groups of claims and (2) explain why each group lacks unity with each other group (i.e., there is no single general inventive concept) specifically describing the unique technical features in each group"

In the present restriction requirement, the Examiner has neither listed the claims in the groups as required by (1) nor explained why the groups lack unity of invention as required by (2). Rather the Examiner has utilized a method of restriction (by drawing) which is not proper in national filings of PCT applications.

Therefore applicant strongly traverses the present restriction requirement as being improper both in form and in content.

Applicant further points out that the present application contains only two independent claims. These claims differ from each other only in the limitation in claim 7 that the "light

distributor" comprises a diffractor and that the limitation in claim 1 of a "plurality of sensor light beams" is broadened to "at least one sensor light beam."

The European Examiner in the PCT found that there was unity of invention between these two claims.

Nevertheless, in order to comply with the requirements of 37 CFR §1.143, applicant provisionally elects the claims that read on Fig. 1. Applicant notes however, that Figs. 1 and 4A differ mainly in the presence of a quarter wave plate 140 and polarizers 102, 104 and 142 in Fig. 7 and the replacement of lenses 34, 44 and 46 of Fig. 1 with a single lens 106. It is further noted that the distributor in each of Figs. 1 and 7 is described in the disclosure a diffractor which is merely a special case of the distributor or claim 1. In addition Fig. 1 only has arrow 70 for moving the diffractor back and forth.

Thus, applicant submits that the following claims read on both embodiments: 1-18, 33-50, 61-69, 88-100, and 111-113.

Claims 70-73 and 98-100 are only shown in Fig. 1, but are usable with the embodiment of Fig. 4A as well.

Claims 19-32, 51-60, 70-87, 101-110 are shown only in Fig. 4A.


Applicant further notes that some features claimed in some dependent claims are not shown in either Figs. 1 or 4A and represent uses of the invention or elements that are generally described in the text or are shown in other Figs. These have been included in the list of generic claims.

In summary, applicant submits that the restriction requirement is improper and respectfully requests a holding of non-unity (if the Examiner believes that there is non-unity), with explanation as required by the MPEP.

An action on the merits is respectfully awaited.

Respectfully submitted,
Uri KINROT

June 23, 2004
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PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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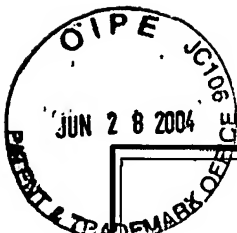
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Applicant: Uri Kinrot
 Serial No: 10/031,519
 Filing Date: January 16, 2002
 For: LASER MOTION DETECTORS
 Enclosures: (1) Transmittal Letter (in duplicate);
 (2) Response To Restriction Requirement (2 pages);
 (3) Acknowledgement postcard

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TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
064/02540

In Re Application Of: **Uri KINROT**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/031,519	January 16, 2002	LA, Anh V.	44909	2636	6370

Title: **LASER MOTION DETECTORS**

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Response to Restriction Requirement dated May 26, 2004

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Dated: **June 23, 2004**

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